

Virginia Title V Operating Permit

Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	MW Manufacturers, Inc.	Registration	30386
Facility Name:	MW Manufactureres, Inc.	AIRS Number:	51-067-0023
Facility Location:	433 North Main Street Rocky Mount, Virginia	Permit Number:	VA-30386

Effective Date:	October 1, 2001
Expiration Date:	October 1, 2006

_____	<u>September 28, 2001</u>
Dennis H. Treacy	Date
Director, Department of Environmental Quality	

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I. FACILITY INFORMATION

Permittee

MW Manufacturers, Inc.
P.O. Box 559
Rocky Mount, Virginia 24151

Responsible Official

Mr. Hobson Meeler
Vice President-Operations

Facility

MW Manufacturing, Inc.
433 North Main Street
Rocky Mount, VA 24151

Contact Person

Mr. G. Lynn Akers
Safety Director
(540) 484-6327

Registration Number: 30386

AIRS Identification Number: 51-067 -0023

Facility Description: SIC Code 2431 – Establishments primarily engaged in manufacturing fabricated wood millwork, including wood millwork covered with materials such as metal and plastics.

This plant primarily manufactures wood and vinyl clad windows and doors. The plant has been in existence at its current location since the 1940's and the plant received its first air permit on June 27, 1974. The facility is a Title V major source of VOC and Sulfur Dioxide. This source is located in an attainment area for all pollutants, and is a PSD major source due to permitted VOC emission limits totaling 459.3 tons per year. The facility is presently permitted under a minor NSR permit issued on 04/12/1999, amended 5/21/2001.

Compliance Status: The facility is inspected a minimum of once per year. The facility was inspected and found to be in compliance on 6/26/2001.

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Fuel Burning Equipment							
Boiler	1	CNB Tri-Fuel	21.32coal/17 wood MMBtu/hr	Multicyclone	MC-1	Particulate	4/12/1999 as amended
Solvent Based Wood Dipping Operations							
2	2	Main tank	Varies by soak length	Uncontrolled	--	--	4/12/1999 as amended
2a	--	Long Tank	2.0 gals/hr	Uncontrolled	--	--	4/12/1999 as amended
2b	4	Short Tank	2.0 gals/hr	Uncontrolled	--	--	4/12/1999 as amended
Water Based Wood Dipping							
3	--	Water-based wood preservative dipping operation	Varies by soak length	Uncontrolled	--	--	4/12/1999 as amended
Priming Operations							
4	--	Wood parts priming operations (6 separate; all use 'water-based' or 'low-solvent' coatings)	4.8 gals/hr each	Uncontrolled	--	--	4/12/1999 as amended
4a	4	Paint Spray booth	2 gals/hr	Spray booth with paper/fiberglass filters	F-1	Particulate	4/12/1999 as amended
Milling Operations							
5	5 & 6	Wood milling/machining	Varies by type of unit	Pneumafil	BH-1 & BH-2	Particulate	4/12/1999 as amended

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

III. Fuel Burning Equipment Requirements (Boiler)

A. Limitations

1. Particulate emissions from the coal/wood boiler shall be controlled by the use of a multicyclone.
(9 VAC 5-80-110 & 4/12/1999 (as amended) New Source Review Permit Condition (NSRPC) #4)
2. The approved fuels for the boiler are coal and wood. A change in the fuels may require a permit to modify and operate.
(9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #8)
3. The maximum sulfur content of the coal to be burned in the boiler shall not exceed one (1) percent by weight per shipment.
(9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #15.)

4. Emissions from the operation of the coal/wood boiler shall not exceed the limits specified below:

Total Suspended Particulate	2 lbs/hr	10 tons/yr
PM-10	2 lbs/hr	10 tons/yr
Sulfur Dioxide	56 lbs/hr	135 tons/yr
Volatile Organic Compounds	2.51 lbs/hr	11 tons/yr

(9 VAC 5-50-260, 9 VAC 5-80-110, 9 VAC 5-50-10, 9 VAC 5-40-930, 9 VAC 5-170-160, 9 VAC 5-80-1700 et seq. & 4/12/1999 (as amended) NSRPC #16)

5. Visible Emissions from the coal/wood boiler stack shall not exceed twenty (20) percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed thirty (30) percent opacity.
(9 VAC 5-40-80, 9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #23)
6. Boiler emissions shall be controlled by proper operation and maintenance. The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:

- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
- b. Maintain an inventory of spare parts.
- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.

(9 VAC 5-50-20 E, 9 VAC 5-170-160, 9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #32)

B. Monitoring

1. Visible Emissions: The coal/wood boiler shall be observed visually at least once each calendar week in which the emissions unit operates. The visual observations shall be conducted using 40 CFR 60 Appendix A Method 22 techniques (condensed water vapor/steam is not a visible emission) for at least a brief time to only identify the presence of visible emissions. Each emissions unit in the Method 22 technique observation having visible emissions shall be evaluated by conducting a 40 CFR 60 Appendix A Method 9 visible emissions evaluation (VEE) for at least six (6) minutes, unless corrective action is taken that achieves no visible emissions. 40 CFR 60 Appendix A Method 9 requires the observer to have a Method 9 certification that is current at the time of the VEE. If any of these six (6) minute VEE averages exceed the unit's opacity limitation, a VEE shall be conducted on these emissions for at least 3 six minute periods (at least 18 minutes). All visible emission observations, VEE results, and corrective actions taken shall be recorded.
(9 VAC 5-80-110E)
2. Cyclones: An annual internal inspection shall be conducted on the cyclone by the permittee to insure structural integrity.
(9 VAC 5-80-110)

C. Recordkeeping

1. The permittee shall obtain a certification from the fuel supplier with each shipment of coal to be burned in the boiler. Each fuel supplier certification shall include the following:
 - a. The name of the fuel supplier,

- b. The date on which the coal was received,
- c. The sulfur content of the coal.

(9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #15)

- 2. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, West Central Regional Office. These records shall include, but are not limited to:
 - a. The annual throughput of coal and wood for the coal/wood boiler. The annual throughput shall be calculated monthly, as the sum of each consecutive twelve (12) month period.
 - b. All fuel supplier certifications.
 - c. The annual emissions from the boiler, calculated monthly, as the sum of each consecutive twelve (12) month period.
 - d. Records of operator training.
 - e. Records of maintenance, inspections and Visible Emission Observations/Evaluations..

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #28 & 32)

D. Testing

- 1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-50-30 & 9 VAC 5-80-110)
- 2. If testing is conducted to determine compliance, in addition to the monitoring specified in this permit, the permittee shall use standardized test methods in accordance with procedures approved by the DEQ.
(9 VAC 5-80-110)

E. Reporting (see also General Conditions)

IV. Process Equipment Requirements

The applicable process equipment requirements are for the entire facility. These requirements include the woodworking equipment, wood preservative operations (water and solvent-based), and wood priming operation

A. Limitations

1. The dip tanks for the water-based wood preservative dip system and the solvent-based wood preservative system (Units 2, 2a, 2b & 3) shall be covered when that department is not in operation to minimize volatile organic compound (VOC) emissions.
(9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #3)
2. The solvent-based wood preservative dipping operation (Units 2, 2a & 2b) shall consume no more than 105,000 gallons per year, calculated monthly as the sum of each consecutive twelve (12) month period.
(9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #10)
3. The water-based wood preservative dipping operation (Unit 3) shall consume, after reduction with water, no more than 100,000 gallons per year, calculated monthly as the sum of each consecutive twelve (12) month period.
(9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #11)
4. The annual throughput of glass sealant shall not exceed 80,000 gallons, calculated monthly as the sum of each consecutive twelve (12) month period.
(9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #12)
5. The annual throughput of the water-based frame primer shall not exceed 30,000 gallons, calculated monthly as the sum of each consecutive twelve (12) month period.
(9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #13)
6. The annual throughput of the water-based enamel on the frame primer shall not exceed 4,000 gallons, calculated monthly as the sum of each consecutive twelve (12) month period.
(9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #14)
7. The annual throughput of cut stock lumber shall not exceed 20.0×10^6 board feet, calculated monthly as the sum of each consecutive twelve (12) month period.
(9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #9)
8. Visible emissions from the baghouses (BH-1 & BH-2) shall not exceed 5% opacity except during one six-minute period in any one hour in which visible emissions shall not exceed twenty (20) percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A).
(9 VAC 5-50-20, 9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #24)

9. Emissions from the operation of the wood working equipment/wood dust handling processes shall not exceed the limits specified below:

Total Suspended Particulate	0.01 gr/dscf	3.9 lbs/hr	9.6 tons/yr
PM-10	0.01 gr/dscf	3.9 lbs/hr	9.6 tons/yr

(9 VAC 5-50-260, 9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #17)

10. Emissions from the operation of the solvent-based wood preservative dip systems (Units 2, 2a & 2b) shall not exceed the limits specified below:

Volatile Organic Compounds	78.9 lbs/hr	322.3 tons/yr
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The fugitive and stack VOC emissions are combined to determine the lbs/hr and tons/yr emissions.

(9 VAC 5-50-260, 9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #18)

11. Emissions from the operation of the water-based wood preservative dip system (Unit 3) shall not exceed the limits specified below:

Volatile Organic Compounds	9.3 lbs/hr	40.9 tons/yr
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(9 VAC 5-50-260, 9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #19)

12. Emissions from the operation of the glass sealing process shall not exceed the limits specified below:

Volatile Organic Compounds	15.7 lbs/hr	57.2 tons/yr
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(9 VAC 5-50-260, 9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #20)

13. Emissions from the operation of the water-based frame priming system shall not exceed the limits specified below:

Volatile Organic Compounds	27.8 lbs/hr	23.7 tons/yr
2-butoxyethanol	7.9 lbs/hr	

(9 VAC 5-50-260, 9 VAC 5-20-110, 9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #21)

14. Emissions from the operation of the water-based frame priming system while applying enamel shall not exceed the limits specified below:

Volatile Organic Compounds 6.3 lbs/hr 4.2 tons/yr

(9 VAC 5-50-260, 9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #22)

15. Particulate emissions from the wood dust handling systems shall be controlled by baghouses. The baghouse shall be provided with adequate access for inspection.

(9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #5)

16. Particulate emissions from the water-based wood primer spray booth designated as Source 4a shall be controlled by paper filters or fiberglass filters. The filter system shall be provided with adequate access for inspection and shall be in operation when the water-based wood primer spray booth designated as Source ID No. 4a is operating.

(9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #6)

17. All subsequent transfer of the collected material from the baghouses shall be controlled by a baghouse or a completely enclosed transfer system.

(9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #7)

18. The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:

- a. Develop an overall maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
- b. Maintain an inventory of spare parts that are needed to minimize duration of air pollution control equipment breakdowns.
- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.

(9 VAC 5-50-20 E, 9 VAC 5-170-160, 9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #32)

B. Monitoring

1. Visible Emissions: The baghouse exhausts shall be observed visually at least once each calendar week in which the emission units operate. The visual observations shall be conducted using 40 CFR 60 Appendix A Method 22 techniques (condensed water vapor/steam is not a visible emission) for at least a brief time to only identify the presence of visible emissions. Each emissions unit in the Method 22 technique observation having visible emissions shall be evaluated by conducting a 40 CFR 60 Appendix A Method 9 visible emissions evaluation (VEE) for at least six (6) minutes, unless corrective action is taken that achieves no visible emissions. 40 CFR 60 Appendix A Method 9 requires the observer to have a Method 9 certification that is current at the time of the VEE. If any of these six (6) minute VEE averages exceed the unit's opacity limitation, a VEE shall be conducted on these emissions for at least 3 six minute periods (at least 18 minutes). All visible emission observations, VEE results, and corrective actions taken shall be recorded.

(9 VAC 5-80-110E)

2. Fabric Filters: The fabric filter shall be equipped with a device to continuously measure the differential pressure drop across the fabric filter. The device shall be installed in an accessible location and shall be maintained by the permittee such that it is in proper working order at all times.

(9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #5)

C. Recordkeeping

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the West Central Regional Office. These records shall include, but are not limited to:

1. Annual throughput of solvent-based wood preservative, in gallons, calculated monthly as the sum of each consecutive twelve (12) month period.
2. Annual throughput of water-based wood preservative, unreduced and reduced, in gallons, calculated monthly as the sum of each consecutive twelve (12) month period.
3. Annual throughput of glass sealant, in gallons, calculated monthly as the sum of each consecutive twelve (12) month period.
4. Annual throughput of water-based frame primer, in gallons, calculated monthly as the sum of each consecutive twelve (12) month period.
5. Annual throughput of water-based enamel, in gallons, calculated monthly as the sum of each consecutive twelve (12) month period.

6. Annual throughput of cut stock lumber, in board feet, calculated monthly as the sum of each consecutive twelve (12) month period.
7. Annual VOC emissions from the solvent-based wood preservative dipping process, in tons, calculated monthly as the sum of each consecutive twelve (12) month period.
8. Annual VOC emissions from the water-based wood preservative dipping process, in tons, calculated monthly as the sum of each consecutive twelve (12) month period.
9. Annual VOC emissions from the glass sealant process, in tons, calculated monthly as the sum of each consecutive twelve (12) month period.
10. Annual VOC emissions from the water-based frame priming process, in tons, calculated monthly as the sum of each consecutive twelve (12) month period.
11. Annual VOC emissions from the water-based frame priming system process, while applying enamel, in tons, calculated monthly as the sum of each consecutive twelve (12) month period.
12. Records of operator training.
13. Records of maintenance, inspections and Visible Emission Observations/ Evaluations.
14. Material Safety Data Sheets (MSDS) or Certified Product Data Sheets (CPDS) for the preservatives, paints and sealers used at the facility. VOC content for the material shall be determined using EPA test methods..

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110 & 4/12/1999 (as amended) NSRPC #28 & 32)

D. Testing

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-50-30 & 9 VAC 5-80-110)
2. If testing is conducted to determine compliance, in addition to the monitoring specified in this permit, the permittee shall use standardized test methods in accordance with procedures approved by the DEQ.
(9 VAC 5-80-110)

E. Reporting (see also General Conditions)

V. Facility Wide Conditions

Not applicable

VI. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation ¹	Pollutant(s) Emitted	Rated Capacity
IEM-1	Diesel tank	9 VAC 5-80-720 B	VOC	12,000 gals.
IEM-2	LP gas tanks (2)	9 VAC 5-80-720 B	VOC	1,000 gals. Each
IEM-3	Diesel tank	9 VAC 5-80-720 B	VOC	275 gals.
IEM-4	Glass cutting operation	9 VAC 5-80-720 B	VOC	Cutting lubricant fluid is used in very small amounts
IEM-5	Glass sealing operation	9 VAC 5-80-720 B	VOC	2-part epoxy sealant; very low VOC content
IEM-6	Seal patching	9 VAC 5-80-720 B	VOC	Hot melt adhesive(essentially zero VOC's)
IEM-7	Inkjet coding of spacer frames	9 VAC 5-80-720 B	VOC	Quantities of ink used are very small
IEM-8	Grille assembly	9 VAC 5-80-720 B	VOC	Very small quantities of VOC's are used
IEM-9	Grinding room cleaning vat (parts cleaner)	9 VAC 5-80-720 B	VOC	Quantities of VOC's used are very small
IEM-10	Grinding room saw blade sharpening lubricant	9 VAC 5-80-720 B	VOC	Quantities of VOC's used are very small
IEM-11	Octagon window assembly	9 VAC 5-80-720 B	VOC	Very small amounts of VOC's are used
IEM-12	Insulated glass maintenance shop parts cleaning sinks (2)	9 VAC 5-80-720 B	VOC	Safety-Kleen sink
IEM-13	Back-bedding compounds used throughout window assembly area	9 VAC 5-80-720 B	VOC	Very low VOC content
IEM-14	Casement assembly vinyl adhesive	9 VAC 5-80-720 B	VOC	Very low VOC content
IEM-15	Twinseal vinyl adhesive	9 VAC 5-80-720 B	VOC	Very low VOC content
IEM-16	Wood double hung; vinyl double hung sealant	9 VAC 5-80-720 B	VOC	Very low VOC content
IEM-17	V-wood backbedding(glass/vinyl)	9 VAC 5-80-720 B	VOC	Very low VOC content
IEM-18	Vinyl clad double hung adhesive cleaner	9 VAC 5-80-720 B	VOC	Very low VOC content
IEM-19	Twinseal vinyl	9 VAC 5-80-720 B	VOC	Very low VOC content
IEM-20	Vinyl clad double hung adhesive	9 VAC 5-80-720 B	VOC	Very low VOC content
IEM-21	Simulated Divided Light Solvent	9 VAC 5-80-720 B	VOC	Very low VOC content
IEM-22	Product development and testing lab	9 VAC 5-80-720 A	VOC's, others	NA

Emission Unit No.	Emission Unit Description	Citation ¹	Pollutant(s) Emitted	Rated Capacity
IEM-23	Drying ovens for spray priming operations	9 VAC 5-80-720 C	Fuel burning emissions	Less than 10 MMBtu/hr each, firing natural gas

These insignificant emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

VII. Compliance Plan

Not applicable

VIII. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
No inapplicable requirements were identified.		

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
 (9 VAC 5-80-140)

IX. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
 (9 VAC 5-80-110 N)

B. Permit Expiration

This permit shall become invalid five years from the date of issuance. The permittee shall submit an application for renewal, to the Director, West Central Regional Office, of this permit no earlier than 18 months and no later than six months prior to the date of expiration of this permit. Upon receipt of a complete and timely application for renewal, this source may continue to operate subject to final action by the DEQ on the renewal application.

(9 VAC 5-80-110 D and 9 VAC 5-80-80 F)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

- a. The date, place as defined in the permit, and time of sampling or measurements.
- b. The date(s) analyses were performed.
- c. The company or entity that performed the analyses.
- d. The analytical techniques or methods used.
- e. The results of such analyses.
- f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G. (Note that much of the recordkeeping required by this permit also serves as required periodic monitoring to determine emissions compliance and therefore needs to be addressed in the periodic reports.) The details of the reports are to be arranged with the Director, West Central Regional Office. The reports shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.

- b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:
 - (1) Exceedance of emissions limitations or operational restrictions;
 - (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,
 - (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."
- d. The report shall be sent to the following address:

VA DEQ
Director, West Central Regional Office
ATTN: Air Compliance Manager
3019 Peters Creek Road
Roanoke, VA 24019

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and to DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.

4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.

This annual compliance certification shall be sent to the following addresses:

Director, West Central Regional Office
Virginia DEQ
3019 Peters Creek Road
Roanoke, VA 24019

U. S. Environmental Protection Agency, Region III
Clean Air Act Title V Compliance Certification (3AP00)
1650 Arch Street
Philadelphia, PA 19103-2029.

(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, West Central Regional Office, within four (4) daytime business hours of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the occurrence, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition IX.C.3. of this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

If, for any reason, the affected facilities or related air pollution control equipment fails or malfunctions and may cause excess emissions for more than one hour, the owner shall notify the West Central Regional Office, within four (4) daytime business hours of the occurrence. In addition, the owner shall provide a written statement, within 14 days, explaining the problem, corrective action taken, and the estimated duration of the breakdown/shutdown. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the board.

(9 VAC 5-20-180 C & 9 VAC 5-80-250)

G. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

The opacity limits in this permit apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in this permit.
(9 VAC 5-50-20 & 9 VAC 5-40-20)

H. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the conditions of paragraph 2 are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
 - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.
 - c. During the period of malfunction, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit.
 - d. The permittee notified the board of the malfunction within two working days following the time when the emissions limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, telegraph, or any other method that allows the permittee to comply with the deadline. The notice fulfills the requirement of 9 VAC 5-80-110 F.2. b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirements under 9 VAC 5-20-180 C.

3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any requirement applicable to the source.

(9 VAC 5-80-250)

I. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90 & 9 VAC 5-50-90)

J. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-110 G.1)

K. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.

(9 VAC 5-80-110 G.2)

L. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(9 VAC 5-80-110 G.3)

M. Permit Action for Cause

1. This permit may be modified, revoked, reopened, and reissued, or terminated for cause as specified in 9 VAC 5-80-110 L, 9 VAC 5-80-240 and 9 VAC 5-80-260. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
(9 VAC 5-80-110 G.4)
2. Such changes that may require a permit modification and/or revisions include, but are not limited to, the following:
 - a. Erection, fabrication, installation, addition, or modification of an emissions unit (which is the source, or part of it, which emits or has the potential to emit any regulated air pollutant), or of a source, where there is, or there is potential of, a resulting emissions increase;
 - b. Reconstruction or replacement of any emissions unit or components thereof such that its capital cost exceeds 50% of the cost of a whole new unit;
 - c. Any change at a source which causes emission of a pollutant not previously emitted, an increase in emissions, production, throughput, hours of operation, or fuel use greater than those allowed by the permit, or by 9 VAC 5-80-11, unless such an increase is authorized by an emissions cap; or any change at a source which causes an increase in emissions resulting from a reduction in control efficiency, unless such an increase is authorized by an emissions cap;
 - d. Any reduction of the height of a stack or of a point of emissions, or the addition of any obstruction which hinders the vertical motion of exhaust;

- e. Any change at the source which affects its compliance with conditions in this permit, including conditions relating to monitoring, recordkeeping, and reporting;
- f. Addition of an emissions unit which qualifies as insignificant by emissions rate (9 VAC 5-80-720 B) or by size or production rate (9 VAC 5-80-720 C);
- g. Any change in insignificant activities, as defined by 9 VAC 5-80-90 D.1.a(1) and 9 VAC 5-80-720 B and 9 VAC 5-80-720 C.
(9 VAC 5-80-110 G, 9 VAC 5-80-110 J, 9 VAC 5-80-240, and 9 VAC 5-80-260)

N. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-110 G.5)

O. Duty to Submit Information

- 1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9 VAC 5-80-110 G.6)
- 2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.
(9 VAC 5-80-110 K.1)

P. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-355. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by **April 15** of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

Q. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described

in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1. (9 VAC 5-80-110 J)

R. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

S. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

T. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

U. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
(9 VAC 5-80-160)
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An

applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.
(9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.
(40 CFR Part 82, Subparts A-F)

Y. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)

Z. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9 VAC 5-80-110 I)

AA. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)

X. State-Only Enforceable Requirements

The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.

Not applicable

(9 VAC 5-80-110 N & 9 VAC 5-80-300)